

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**WISCONSIN GLAZIERS & GLASS WORKERS MONEY  
PURCHASE PLAN, PAINTERS LOCAL 781  
HEALTH FUND, WISCONSIN GLAZIERS  
& GLASS WORKERS APPRENTICESHIP FUND,  
and JOEL ALLEN (in his capacity as Trustee),  
WISCONSIN GLAZIERS & GLASS WORKERS LOCAL  
UNION 1204,**

**Plaintiffs,**

**v.**

**Case No. 10C0720**

**SITZBERGER GLASS, INC. D/B/A WEST BEND  
GLASS CO.,**

**Defendant.**

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**ORDER**

Plaintiffs filed this case on August 23, 2010. Pursuant to Fed. R. Civ. P. 4(m) plaintiffs had 120 days from filing within which to effect service of the complaint upon the defendant. That time period expired on December 21, 2010, yet no proof of service has been submitted to the court to date. As no service appears to have been effected within the 120-day period, Rule 4(m) and Civil L.R. 41(a) allow me to dismiss the case without prejudice upon my own initiative after twenty days notice to the plaintiffs. This order gives plaintiffs that notice and will allow them a brief extension to secure service and file appropriate proof thereof.

**THEREFORE IT IS ORDERED** that plaintiffs have 21 days from the date of this order (until May 17, 2011) within which to serve defendant and file proof of that service with

the clerk of court. Plaintiffs are hereby put on notice that if they fail to comply with this order this case will be dismissed.

Dated at Milwaukee, Wisconsin, this 26 day of April, 2011.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge